IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2850 OF 2004

IN

WRIT PETITION NO. 1079 OF 1997

The Executive Engineer (O & M)
Maharashtra State Electricity
Board, Sangli
...Petitioner

vs.

Sarjerao Shankarrao Desai
....Respondents

Ms. A.R.S. Baxi for the petitioner.
Mr. A.H. Palekar i/b. V.D. Raut for the respondents.

CORAM: S.U. KAMDAR, J.

DATE : 25th November, 2005.

P.C. :

1. The present application is taken out by MSEB for depositing the amount in court. According to the petitioner the amount is due and payable by the petitioner to the respondent towards the leave encashment and salary dues. It

is submitted that the amount can be withdrawn by the petitioner provided he hands over the vacant possession of the premises. In that view of the matter, application is made absolute in terms of prayer clause (b). The amount if deposited to be invested in fixed deposit of any nationalised bank initially for a period of one year and renew the same from time to time. The original petitioner will be at liberty to apply for withdrawal of the said amount which the court will consider on its own merits. Amount to be deposited within a period of four weeks.

sd/-

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